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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/748,845 | 12/29/2003 | Jeremey Barrett | 08212/0200359-US0 | 2762 |
| 38879 | 7590 | 11/01/2006 | EXAMINER | |
| DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-6257 | | | BHATIA, AJAY M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2145 | |

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,845

Applicant(s)

BARRETT ET AL.

Examiner

Ajay M. Bhatia

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Spacey (U.S. Patent Publication 2002/0038371). For clarification of what HTTPS is please refer to additional references cited.

For claim 1, Spacey teaches, a network device for managing a communication over a network, comprising:

a transceiver arranged to send and to receive the communication over the network; (Spacey, paragraph 16, VPN)

a processor, coupled to the transceiver, that is configured to perform actions, including: receiving a proxy request from a client through a secure tunnel; (Spacey, paragraph 16, VPN)

modifying the proxy request to include a security attribute; (Spacey, paragraphs 122-123, SSL)

and forwarding the modified proxy request to a proxy service, wherein the security attribute enables a proxy connection through the secure tunnel. (Spacey, paragraph 123, SSL send)

For claim 2, Spacey teaches, the network device of claim 1, wherein modifying the proxy request further comprises including a security header with the proxy request.

(Spacey, paragraph 73, 123, SSL)

For claim 3, Spacey teaches, the network device of claim 1, wherein the security attribute further comprises at least one of an IP address associated with the client, a security property associated with the secure tunnel, a public key certificate, a security credential associated with the client, access control data configured to enable the client access to a content server, a session identifier, and an identifier associated with the secure tunnel. (Spacey, paragraph 114, 117, key)

For claim 4, Spacey teaches, the network device of claim 1, wherein the proxy request is an HTTP proxy request. (Spacey, paragraph 95, HTTP)

For claim 5, Spacey teaches, the network device of claim 1, wherein the secure tunnel further comprises at least one of an SSL tunnel, a TLS tunnel, HTTP Secure (HTTPS), Tunneling TLS (TTLS), and an EAP secure tunnel. (Spacey, paragraph 123, SSL)

For claim 6, Spacey teaches, the network device of claim 1, further comprising receiving an HTTPS communication to enable the secure tunnel. (Spacey, paragraph 123, SSL)

Claims 7-28 list all the same elements of claims 1-6, addressing the same invention. Therefore, the supporting rationale of the rejection to claims 1-6 applies equally as well to claims 7-28.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Notice of references cited (if appropriate).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

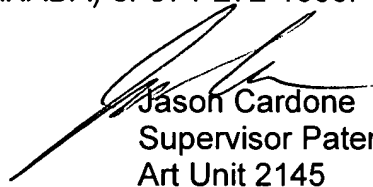
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AB



Jason Cardone
Supervisor Patent Examiner
Art Unit 2145